



WDN/SAS:gte 7/23/01 5673-53922 62386.doc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Baldwin et al.

Art Unit: 1642

Application No. 09/445,788

Filed: January 6, 2000

For: LIVE ATTENUATED VACCINES

Examiner: J. Graser

Date: July 23, 2001

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TECH CENTER 1600/2900  
PATENT  
Attorney Reference: 09/445,788-53922

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CERTIFICATE OF MAILING TECH CENTER 1600/2900

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on July 23, 2001, as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231.

*William D. Noonan*

William D. Noonan, M.D.  
Attorney for Applicant

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Enclosed for filing in the application referenced above are the following:

- ☒ Copy of a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
- ☒ Sequence Listing
  - ☒ Computer Readable Copy
  - ☒ Paper Copy (identical to computer copy), 7 pages
  - ☒ Statement in compliance with 37 C.F.R. § 1.821 verifying identity of computer-readable and paper copies
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By *William D. Noonan*  
William D. Noonan, M.D.  
Registration No. 30,878

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing

Application No. \_\_\_\_\_  
**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123  
For CRF submission help, call (703) 308-4212  
For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.

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Attorney's Matter No. 5673-53922

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*William D. Noonan*

William D. Noonan, M.D.  
Attorney for Applicant

STATEMENT IN COMPLIANCE WITH 37 C.F.R. § 1.821(f)

COMMISSIONER FOR PATENTS  
Washington, DC 20231

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Sir:

In compliance with 37 C.F.R. § 1.821(f), the undersigned declares that the nucleotide and/or amino acid sequences presented in the paper copy of the "Sequence Listing" submitted herewith are the same as the sequences contained in the computer-readable form of said "Sequence Listing." No new matter has been added.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By *William D. Noonan*

William D. Noonan, M.D.  
Registration No. 30,878

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Portland, Oregon 97204  
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